

April 29, 2025

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 6/11/2025
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BY ECF

The Honorable Mary Kay Vyskocil
United States District Judge
500 Pearl Street
New York, NY 10007

Re: *Doe v. Combs, et. al.*, Case No. 24-cv-08054 (MKV)

Dear Judge Vyskocil:

We write jointly on behalf of the Plaintiff in this action and defendants Sean Combs, Daddy’s House Recordings Inc., CEOpCo, LLC d/b/a Combs Global f/k/a Combs Enterprises, LLC, Bad Boy Entertainment Holdings, Inc., Bad Boy Productions Holdings, Inc., Bad Boy Books Holdings, Inc., Bad Boy Entertainment LLC, and Bad Boy Productions LLC (the “Combs Defendants”). We write to request a stay of the briefing schedule and decision on the Combs Defendants’ pending motion to dismiss, which is currently scheduled to be fully submitted on **May 22, 2025**. *See* ECF #71.

The undersigned counsel agree that a stay of the motion to dismiss is appropriate during the pendency of two appeals, *Parker v. Alexander*, No. 25-487 (2d Cir.) and *Doe v. Black*, 25-564 (2d Cir.), that together directly relate to one of the Combs Defendants’ arguments for dismissal: whether the New York City Victims of Gender-Motivated Violence Protection Act’s (the “GMVL”) revival window is preempted by New York state laws. The Combs Defendants have argued (and Plaintiff disputes) that Plaintiff’s claim is untimely because it was not filed within the GMLV’s seven-year statute of limitations, and Plaintiff cannot rely on the preempted revival window to render her claim timely. *See* Def. MTD, ECF #57 § I.

The Combs Defendants’ preemption argument is directly before the Second Circuit on the *Parker* appeal. In *Parker v. Alexander*, et al., No. 24 Civ. 4813 (LAK), 2025 WL 268436 (S.D.N.Y. Jan. 22, 2025), the district court dismissed plaintiff’s GMLV claims, holding that the revival window was preempted by state law. Another district court reached the opposite conclusion in *Doe v. Black*, No. 23 Civ. 6418 (JGLC), 2024 WL 4335453, at *6 (S.D.N.Y. Sept. 27, 2024). The appeals from these two decisions have been ordered to proceed in tandem and are expected to resolve the GMVL preemption question. *See Parker v. Alexander*, No. 25-487 (2d Cir.) at ECF #19. The Second Circuit has placed *Parker* on an expedited schedule, under which the appellant’s brief was filed on April 23, 2025, and the appellee’s brief will be due on May 28, 2025. *See Parker*, No. 25-487 at Dkt. #12.

Because the parties’ briefing and the Court’s decision on this issue will necessarily be affected by the Second Circuit’s rulings on these appeals, we respectfully request that the Court adjourn the existing motion to dismiss deadlines and defer its decision on the motion until these appeals have been decided. No prior request for this relief has been made.

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We further note that in two other GMVL cases pending in the Southern District of New York involving the same Combs Defendants and undersigned counsel, the judges raised this issue *sua sponte* and have issued decisions granting a stay pending the resolution of the *Parker* and *Black* appeals. See *Doe v. Combs*, 24-cv-08808 (JAV), Dkt. #50 (attached as **Exhibit A**); *Doe v. Combs*, 24-cv-07776 (NRB), Dkt. #69 (attached as **Exhibit B**). We respectfully submit that the same outcome is warranted in this case.

Respectfully submitted,

/s/ Mark Cuccaro

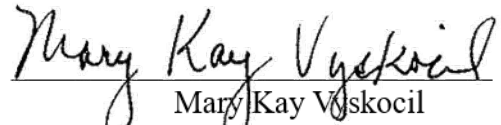
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This joint request to stay decision on the Combs Defendants' pending motion to dismiss this case until the Second Circuit rules on the pertinent appeals pending before it is GRANTED. The parties shall file a joint letter within three days of the decision of the Second Circuit.

Date: June 11, 2025
New York, New York


Mary Kay Vyskocil
United States District Judge